

REMARKS

Claims 1, 2, 5-8, 10-12, 15-18 and 20 remain pending in this application. Claims 1, 7, 11 and 17 are amended. Claims 3, 4, 9, 13, 14 and 19 are canceled. Claims 2, 5, 6, 8, 10, 12, 15, 16, 18 and 20 remain unchanged.

35 U.S.C. §102

Claims 1-2 and 11-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Flickinger (US PG Pub. No. 2001/0032333). For a reference to anticipate a claimed invention, each and every element of the claim must be found in the reference.

Claim 1 is amended to recite, *inter alia*, a “method for providing a program guide, the method comprising the steps of...acquiring program guide data from a content provider...locally storing the acquired program guide data...*transmitting a subset of the locally stored program guide data to a remote terminal, the subset of the locally stored program guide data containing channel IDs for all the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide...* receiving a request for an update to the subset from the remote terminal, wherein the update request is generated by the remote terminal in response to a channel change...accessing the locally stored program guide to create the requested update...and transmitting the update to the remote terminal.” (Emphasis added). Support for the amendment to claim is found at least in canceled claims 4 and 14. No new matter is added.

Flickinger appears to be directed towards a method and system whereby conventional television advertisements (i.e., those delivered to viewers while they watch television programming) can be delivered in conjunction with and correlated with advertisements that are presented to viewers in the Interactive program guide. (Abstract) When a channel change occurs, Flickinger appears to teach regenerating the programming ad queue (i.e., those delivered to viewers while they watch television programming) and the IPG ad queue to maintain the appropriate temporal display sequence relationship of correlated programming ads and IPG ads. (Paragraph 35).

In contrast to Flickinger, amended claim 1 recites, *inter alia*, a “method for providing a program guide, the method comprising the steps of...acquiring program guide data from a content provider...locally storing the acquired program guide data...transmitting a subset of the locally stored program guide data to a remote terminal, the subset of the locally stored program guide data containing channel IDs for all the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide...receiving a request for an update to the subset from the remote terminal, wherein the update request is generated by the remote terminal in response to a channel change...accessing the locally stored program guide to create the requested update...and transmitting the update to the remote terminal.” Flickinger does not disclose the “transmitting a subset of the locally stored program guide data to a remote terminal, the subset of the locally stored program guide data containing channel IDs for all the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide...receiving a request for an update to the subset from the remote terminal, wherein the update request is generated by the remote terminal in response to a channel change” elements of amended claim 1. As a result, amended claim 1 contains at least one element not found in Flickinger. Therefore, it is respectfully proposed that the rejection of amended claim 1 under 35 U.S.C. § 102(e) is overcome in accordance with the above amendment and remarks and notice to that effect is earnestly solicited.

Claim 2 depends from amended claim 1 and should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicants respectfully request reconsideration of the rejection of the claim in view of the above amendments and remarks.

Amended independent claim 11 includes elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for anticipation is overcome. Claim 12 being dependent on and further limiting independent claim 11, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants

respectfully request reconsideration of the rejection of the claims in view of the above remarks.

35 U.S.C. §103

Claims 4-6 and 14-16 stand rejected under 35 U.S.C. §103 as being unpatentable over Flickinger (US PG Pub. No. 2001/0032333) in view of Aristides et al. (US Pat. No. 5,630,119). Under U.S.C. § 103, the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to be obvious in light of the teachings of the references (MPEP § 706.02(j)).

Claim 1 is amended to include elements similar to those recited in canceled claims 4 and 14. More specifically, claim 1 is amended to recite, *inter alia*, a “method for providing a program guide, the method comprising the steps of...acquiring program guide data from a content provider...locally storing the acquired program guide data...*transmitting a subset of the locally stored program guide data to a remote terminal, the subset of the locally stored program guide data containing channel IDs for all the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide...receiving a request for an update to the subset from the remote terminal, wherein the update request is generated by the remote terminal in response to a channel change...accessing the locally stored program guide to create the requested update...and transmitting the update to the remote terminal.*” (Emphasis added).

As acknowledged on page 3 the office action, Flickinger does not teach that “the subset of the locally stored program guide data contains channel IDs for all of the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide.” Applicants further contend that Flickinger also does not teach receiving a request from a remote terminal to update such a subset of program guide data in response to the remote terminal receiving a channel change request, accessing the locally stored program guide to create the requested

update and transmitting the update to the remote terminal as recited in amended claim 1. In other words, Flickinger teaches changing ad queues (i.e., the ads to be presented to viewers during the display of programming or the display of the IPG) in response to a channel change but Flickinger does not teach updating a subset of the program guide data (i.e., the channel IDs for all the channels or detailed information for one of the channels) in response to a channel change.

The Office action contends that Aristides et al. (at col. 3, lines 37-44 and FIG. 2) teaches that the subset of the locally stored program guide data contains channel IDs for all of the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide. Applicants respectfully disagree. The cited section of Aristides merely describes the contents of a conventional electronic program guide (EPG) it does not disclose, teach or discuss the recited “transmitting a subset of a locally store program guide... the subset containing channel IDS for all of the channels in the locally stored program guide and detailed information for one of the channels in the locally stored program guide” claim elements. Similarly, Fig. 2 merely shows an exemplary screen display of an EPG it does not show the recited “transmitting a subset of a locally store program guide... the subset containing channel IDS for all of the channels in the locally stored program guide and detailed information for one of the channels in the locally stored program guide” claim elements. Moreover, Applicants also note that Aristide et al. also does not appear to disclose, teach or discuss receiving a request from a remote terminal to update such a subset of program guide data in response to the remote terminal receiving a channel change request, accessing the locally stored program guide to create the requested update and transmitting the update to the remote terminal as recited in amended claim 1.

Accordingly, neither Flickinger nor Aristides et al., either alone or combined, teach the “transmitting a subset of the locally stored program guide data to a remote terminal, the subset of the locally stored program guide data containing channel IDs for all the channels in the locally stored program guide and detailed program information for one of the channels in the locally stored program guide...receiving a request for an

update to the subset from the remote terminal, wherein the update request is generated by the remote terminal in response to a channel change...accessing the locally stored program guide to create the requested update...and transmitting the update to the remote terminal" elements of amended claim 1. Accordingly, it is respectfully proposed that the rejection of amended claim 1 under 35 U.S.C. § 103(a) is overcome in accordance with the above amendment and remarks and notice to that effect is earnestly solicited.

Claims 5 and 6 depend from amended claim 1, or depend from claims depending from amended claim 1, should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicants respectfully request reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 11 is amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for obviousness is overcome. Claims 15 and 16 being dependent on and further limiting independent claim 11, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully request reconsideration of the rejection of the claims in view of the above remarks.

Claims 7-8 and 17-18 stand rejected under 35 U.S.C. §103 as being unpatentable over Aristides et al. (US Pat. No. 5,630,119) in view of Flickinger (US PG Pub. No. 2001/0032333). Independent claims 7 and 17 are amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for obviousness is overcome. Claim 8 being dependent on and further limiting independent claim 7 and 18 being dependent on and further limiting independent claim 17, should be allowable for that reason, as well as for the additional recitations contained therein.

Applicants respectfully request reconsideration of the rejection of the claims in view of the above remarks.

Dependent claims 10 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aristides et al. (US Pat. No. 5,630,119) in view of Flickinger (US PG Pub. No. 2001/0032333) in further view of Stoel e al. (US Pat. No. 5,905,942). Claim 10 being dependent on and further limiting amended independent claim 7, should be allowable for that reason, as well as for the additional recitations contained therein. Claim 20 being dependent on and further limiting amended independent claim 17, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (818) 260-4599, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due other than the fees discussed above. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

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